

REMARKS

The Office Action dated July 3, 2003 has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto.

Claims 29-56 have been amended. Upon entry of this Response, claims 29-56 will be pending in the present application. Claims 29 and 48 are independent claims. The amendments to claims 30-34, 36-47, and 49-56 have been made exclusively for the purpose of clarity and have not been made in view of any prior art. The amendments to claims 29, 35, and 48 have been made either for the purpose of clarity or to broaden the scope of these claims. Support for the amendments made to claims 29, 35, and 48 may be found at least on lines 6-22 on page 5 of the Specification. Hence, no new matter has been added. Claims 29-56 are respectfully submitted for consideration.

Rejection of Claims 29, 31, 34, 40-44, and 48-54 under 35 U.S.C. §102(b):

Claims 29, 31, 34, 40-44, and 48-54 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,579,535 to Orlen et al. (Orlen '535). This rejection is respectfully traversed.

Claim 29 recites a method for providing a service to a subscriber in a network. The method includes the steps of providing a network information related to the subscriber, generating a service message on the basis of the provided network

information, and transmitting the service message to the subscriber. According to this method, the network information is provided for a service provider and the service message is a message generated by the service provider.

Claim 48 recites a system for providing a service to a subscriber in a network. This system includes providing means for providing a network information related to the subscriber and control means for controlling the provision of the network information in dependence on a predetermined subscriber condition. In this system, the providing means is arranged to provide the network information for a service provider connected to the network and the service provider is arranged to generate a message on the basis of the network information, the message being transmitted to the subscriber.

Orlen '535 discloses "[p]ortable radiotelephone handsets" (column 3, line 13) and "a system information data base...for transmission to the telepoint base stations, which are equipped to provide the positional and localized information...to requesting radiotelephone handsets" (column 3, lines 60-64). Orlen '535 also discloses that the information is relating or pertaining "to the conduct of business" (column 5, line 45 and column 6, line 54). Orlen '535 further discloses that the information is only delivered to the portable radio telephone upon request of the portable radio telephone (see column 7, lines 12-18, and column 10, lines 45-65).

However, Orlen '535 fails to disclose or suggest at least the "network information
related to said subscriber" recited in claims 29 and 48 of the present application. Orlen

'535 also fails to disclose or suggest at least methods or systems that provide the advantages of the method and system recited in claims 29 and 48, respectively. ^{1/2}

According to certain embodiments of the method and system recited in claims 29 and 48, respectively, the "network information related to said subscriber" "relates to at least one of an identity, a location, an address, and an operating state of a mobile station of the subscriber in a cellular network", as recited in claim 30 of the present application. In other words, the "information related to said subscriber" recited in claims 29 and 48 is ^{1/2} not information for "the conduct of business", as disclosed in Orlen '535. Also, Applicants emphasize that the "network information" and the "messages" recited in claims 29 and 48 of the present application are separate and distinct from each other.

In addition to the above distinction between claims 29 and 48 and Orlen '535, Applicants also point out that, according to the method and system recited in claims 29 and 48, respectively, the message recited therein may be generated and transmitted independent of a request of the subscriber. As a result thereof, the specific advantages of the method and system recited in claims 29 and 48, respectively, can be achieved.

For example, as discussed in the first paragraph of page 4 of the specification of the present application, according to certain embodiments of the above-discussed method and system of claims 29 and 48, respectively, a service provider may generate a service message based on provided network information and may transmit such a generated service message to a plurality of subscribers for which the same network information related to said subscribers is provided to the service provider. Stated in other words,

various forms of point-to-multipoint service message distribution are within the scope of certain embodiments of claims 29 and 48. In direct contrast, however, Orlen '535 discloses only that a point-to-point service message is delivered upon request of an individual radio telephone handset.

In summary, Orlen '535 fails to disclose or suggest at least the "network information related to said subscriber" recited in claims 29 and 48 of the present application. Also, Orlen '535 fails to disclose or suggest at least methods or systems capable of providing the advantages of certain embodiments of the method and system recited in claims 29 and 48, respectively.

Hence, at least for the reasons discussed above, Applicants respectfully submit that claims 29 and 48 are patentable over Orlen '535. Applicants also point out that claims 31, 34, 40-44, and 49-54 all depend either directly or indirectly upon either claim 29 or 48 and therefore inherit all of the patentable distinctions thereof. Hence, claims 31, 34, 40-44, and 49-54 are patentable over Orlen '535, at least for the reasons presented above in connection with claims 29 and 48.

At least in view of the above, Applicants respectfully submit that claims 29, 31, 34, 40-44, and 48-54 are patentable over Orlen '535. Hence, reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b) over Orlen '535 is respectfully requested.

In addition to the above, Applicants point out that the network information recited in the claims of the present Application relates to a subscriber. Applicants also point out

that, according to certain embodiments of the claimed invention, a subscriber is present within the network. Hence, according to certain embodiments of the claimed invention, the network information originates from the network, is present within the network, and may also be provided to the outside of the network.

Similarly, a service message which represents a service for a subscriber within the network, even though it may have originated from “outside” of the network and/or at least from a service provider’s server, typically travels through the network and to the subscriber. Thus, Applicants point out that a service message according to various embodiments of the claimed invention may be either an external message or an internal message.

Rejection of Claim 32 under 35 U.S.C. §103(a):

Claim 32 has been rejected under 35 U.S.C. §103(a) over Orlen ‘535 in view of U.S. Patent No. 5,905,777 to Foladare et al. (Foladare ‘777) because it is alleged that it would have been obvious to one of skill in the art to combine these two patents, and that such a combination would yield the method recited in claim 32. This rejection is respectfully traversed.

Reasons that Orlen ‘535 fails to disclose or suggest either the subject matter recited in claim 29 or the advantages of the method recited in claim 29 have been presented above. Foladare ‘777 fails to overcome the shortcomings of Orlen ‘535.

Hence, Applicants respectfully submit that claim 29 is patentable over Orlen '535 and Foladare '777, taken either individually or in combination.

Claim 32 depends directly upon claim 29, which has been shown above to be patentable, and thereby inherits all of the patentable distinctions thereof. Hence, claim 32 is patentable at least for the reasons presented above in connection with claims 29.

At least in view of the above, Applicants respectfully submit that claim 32 is patentable over Orlen '535 in view of Foladare '777. Hence, reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) over Orlen '535 in view of Foladare '777 is respectfully requested.

Rejection of Claims 33, 35-38, and 45 under 35 U.S.C. §103(a):

Claims 33, 35-38, and 45 have been rejected under 35 U.S.C. §103(a) over Orlen '535 in view of U.S. Patent No. 5,555,446 to Jasinski (Jasinski '446) because it is alleged that it would have been obvious to one of skill in the art to combine these two patents, and that such a combination would yield the methods recited in claims 33, 35-38, and 45. This rejection is respectfully traversed.

Reasons that Orlen '535 fails to disclose or suggest either the subject matter recited in claim 29 or the advantages of the method recited in claim 29 have been presented above. Jasinski '446 fails to overcome the shortcomings of Orlen '535. Hence, Applicants respectfully submit that claim 29 is patentable over Orlen '535 and Jasinski '446, taken either individually or in combination.

Claims 33, 35-38, and 45 each depend either directly or indirectly upon claim 29, which has been shown above to be patentable, and thereby inherit all of the patentable distinctions thereof. Hence, claims 33, 35-38, and 45 are patentable at least for the reasons presented above in connection with claims 29.

At least in view of the above, Applicants respectfully submit that claims 33, 35-38, and 45 are patentable over Orlen '535 in view of Jasinski '446. Hence, reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) over Orlen '535 in view of Jasinski '446 is respectfully requested.

Rejection of Claim 39 under 35 U.S.C. §103(a):

Claim 39 has been rejected under 35 U.S.C. §103(a) over Orlen '535 in view of Jasinski '446 and in further view of U.S. Patent No. 6,141,558 to Chen (Chen '558) because it is alleged that it would have been obvious to one of skill in the art to combine these three patents, and that such a combination would yield the method recited in claim 39. This rejection is respectfully traversed.

Reasons that Orlen '535 and Jasinski '446 fail to disclose or suggest either the subject matter recited in claim 29 or the advantages of the method recited in claim 29 have been presented above. Chen '558 fails to overcome the shortcomings of Orlen '535 and Jasinski '446. Hence, Applicants respectfully submit that claim 29 is patentable over Orlen '535, Jasinski '446, and Chen '558, taken either individually or in combination.

Claim 39 depends indirectly upon claim 29, which has been shown above to be patentable, and thereby inherits all of the patentable distinctions thereof. Hence, claim 39 is patentable at least for the reasons presented above in connection with claims 29.

At least in view of the above, Applicants respectfully submit that claim 39 is patentable over Orlen '535 in view of Jasinski '446 and in further view of Chen '558. Hence, reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) over Orlen '535 in view of Jasinski '446 and in further view of Chen '558 is respectfully requested.

Rejection of Claims 46-47 under 35 U.S.C. §103(a):

Claims 46-47 have been rejected under 35 U.S.C. §103(a) over Orlen '535 in view of Jasinski '446 and in further view of WO 98/21913 to Bhatia (Bhatia '913) because it is alleged that it would have been obvious to one of skill in the art to combine these three documents, and that such a combination would yield the methods recited in claims 46 and 47. This rejection is respectfully traversed.

Reasons that Orlen '535 and Jasinski '446 fail to disclose or suggest either the subject matter recited in claim 29 or the advantages of the method recited in claim 29 have been presented above. Bhatia '913 fails to overcome the shortcomings of Orlen '535 and Jasinski '446. Hence, Applicants respectfully submit that claim 29 is patentable over Orlen '535, Jasinski '446, and Bhatia '913, taken either individually or in combination.

Claims 46 and 47 each depend indirectly upon claim 29, which has been shown above to be patentable, and thereby inherit all of the patentable distinctions thereof. Hence, claims 46-47 are patentable at least for the reasons presented above in connection with claims 29.

At least in view of the above, Applicants respectfully submit that claims 46-47 are patentable over Orlen '535 in view of Jasinski '446 and in further view of Bhatia '913. Hence, reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) over Orlen '535 in view of Jasinski '446 and in further view of Bhatia '913 is respectfully requested.

Rejection of Claims 55-56 under 35 U.S.C. §103(a):

Claims 55-56 have been rejected under 35 U.S.C. §103(a) over Orlen '535 in view of Bhatia '913 because it is alleged that it would have been obvious to one of skill in the art to combine these two documents, and that such a combination would yield the systems recited in claims 55 and 56. This rejection is respectfully traversed.

Reasons that Orlen '535 fails to disclose or suggest either the subject matter recited in claim 48 or the advantages of the system recited in claim 48 have been presented above. Bhatia '913 fails to overcome the shortcomings of Orlen '535. Hence, Applicants respectfully submit that claim 48 is patentable over Orlen '535 and Bhatia '913, taken either individually or in combination.

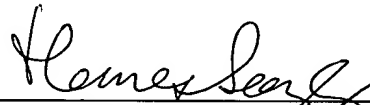
Claims 55 and 56 each depend directly upon claim 48, which has been shown above to be patentable, and thereby inherit all of the patentable distinctions thereof. Hence, claims 55-56 are patentable at least for the reasons presented above in connection with claims 48.

At least in view of the above, Applicants respectfully submit that claims 55-56 are patentable over Orlen '535 in view of Bhatia '913. Hence, reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) over Orlen '535 in view of Bhatia '913 is respectfully requested.

At least in view of the above amendments and remarks, it is respectfully requested that all of claims 29-56 be found allowable, and that this application be passed to issue. If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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